



**TOWN OF HARPSWELL  
PLANNING BOARD MINUTES  
MARCH 19, 2008  
DRAFT**

**MEMBERS PRESENT**

Dorothy Carrier, Chair  
Joanne Rogers, Vice Chair  
Robin Brooks, Secretary  
John Papacosma  
Kenneth Cichon  
Roberta Floccher, Associate

**MEMBERS ABSENT**

None

**STAFF PRESENT**

Carol Tukey, Town Planner  
Melissa Swanson, Recording Secretary

---

The Town of Harpswell Planning Board meeting being duly advertised in the Times Record was called to order at 6:30 PM by Ms. Carrier, Chair. Introductions were made by Board Members, and the Pledge of Allegiance was recited. The Chair read the Agenda and explained the hearing process and procedures for Planning Board meetings.

**CONSIDERATION OF MINUTES**

Ms. Rogers, Vice Chair, moved, seconded by Mr. Brooks, to accept the Minutes of February 20, 2008 as printed. There was unanimous approval. The Chair asked for abstentions; Mr. Cichon and Ms. Floccher abstained.

**REVIEW OF SITE VISIT**

The Chair stated that she did not attend the site visit. The Vice Chair reported that the site visit began at the Town Hall, proceeded to the Ward property and then to the Finestkind Boatyard. The Vice Chair attended, along with Board members Mr. Papacosma, Mr. Cichon, Mr. Brooks and Ms. Tukey, the Town Planner.

**OLD BUSINESS**

There was no old business to discuss.

**NEW BUSINESS**

**ITEM 1**

**08-03-01 Richard and Timothy Ward (Owners) and LeBlanc Associates, Inc. (Applicant), Wharf Application Review, Shoreland Residential District, Tax Map 53-57, 141 Wallace Shore Road, Harpswell.**

In attendance was Timothy Ward, and speaking as the permitting agent for Richard and Timothy Ward was Joe LeBlanc of LeBlanc Associates, Inc. Mr. LeBlanc stated that the application was for a commercial wharf, ramp and float, and referred the Board to Exhibit 2 of the Application. Proposed is a 16 ft. x 25 ft. commercial wharf, a 4 ft. x 34 ft. ramp and a 12 ft. x 16 ft. float. Mr. LeBlanc stated that, at the site visit that he attended with Timothy Ward, a Board member asked a question about access down to the wharf. He said that what Mr. Ward described to the Board at that time was a 4 x 20 access, either stairs or a ramp, and a combined trap chute. Mr. LeBlanc presented to the Board a revised Exhibit 2 that showed the stairs or ramp. In answer to questions from the Town Planner's memo dated March 10, 2008, Mr. LeBlanc referred the Board to the attachment of the revised Exhibit 2. He also noted information as presented in Exhibit 1G, the engineering review from William Haney of Lincoln/Haney Engineering Associates, Inc. As per Exhibit 1G, Mr. LeBlanc said that the owners had decided to upgrade to 8 ft. x 8 ft. caps. He also noted that the height of the deck would be

4 ft. above Mean High Water ("MHW"). He also said that the owners are proposing to use off site harvested trees for the vertical pilings. He stated that, in all other aspects, the owners complied with the engineering review provided by Lincoln/Haney.

The Chair called for public comment. There being none, the Chair referred the Board to the "Findings of Fact" of the Town Planner's memo dated March 10, 2008, §15 of the Site Plan Review Ordinance "Approval Standards and Criteria".

§15.1 Dimensional Requirements. The Board found that the proposed wharf met the standards of the Basic Land Use Ordinance and the Shoreland Zoning Ordinance.

§15.3.1 The wharf would be constructed to comply with the current Ordinance; therefore, the Board found that the standards of this Section were met.

The Vice Chair moved that the owners/applicant met the requirements of §15.3, where applicable. Mr. Cichon seconded the motion.

Ms. Floccher requested clarification on §15.3.1 due to the new information presented by Mr. LeBlanc on the revised Exhibit 2. Mr. LeBlanc explained that the owners would construct the pier just under a ledge, which would be 4 ft. above MHW.

The Chair asked the Board if there were any questions, and there were none. There was unanimous approval by the Board of the Vice Chair's motion.

Mr. Papacosma clarified for the Chair that the proposed wharf was new construction, not a rebuild.

The Vice Chair moved that the owners/applicant meet the requirements of §15.2 through §15.21 with the condition that the owners/applicant meet the criteria set forth in §15.20 as outlined in the additional material.

Mr. Cichon clarified that the additional material referred to was the revised Exhibit 2, and the memo dated 3/19/08 provided by LeBlanc Associates, Inc.

The Chair asked Mr. LeBlanc about the new motion sensor for lighting at the wharf. Mr. LeBlanc said that it would shine down onto the dock for security lighting, and there might be lighting installed at the gallows frame on the wharf that would shine back onto the wharf and also one that would shine down onto the ramp and float.

The Chair asked for questions from the Board; there were none. There was unanimous approval by the Board.

The Vice Chair moved for approval with the standard conditions of approval, and the additional condition of approval which is that the applicant meets the requirements as outlined in the revised Exhibit 2, and as stated in the memo written by LeBlanc Associates dated March 19, 2008.

There was unanimous approval by the Board.

## **ITEM 2**

**08-03-02      Finestkind Boatyard (applicant/owner), Site Plan Review, Commercial Fishing district,  
Tax Map 15-55, 11 Bristol Way, Harpswell.**

Mark Hubbard of Finestkind Boatyard spoke on his own behalf. He explained that they are proposing to build a 7200 sq. ft. storage building for boats they haul and maintain, although there might be some light repair work performed in the building. The building would be 16 ft. x 20 ft. and would be constructed where they are already storing boats.

The Chair noted that there was a mention made of storm water in the Town Planner's memo. She asked Mr. Hubbard how he would plan to address the issue of runoff if it affected abutters' properties. He explained that there would be some fill around the exterior of the foundation, similar to what was done to the other buildings on the property. He also stated that there would be gutters and downspouts installed if a problem occurred, and that there is sufficient drainage on that side of the property.

Mr. Papacosma questioned the calculation given regarding lot coverage, and confirmed with Mr. Hubbard that the lot size is 11.4 acres. He reminded Mr. Hubbard that there is a stipulation in the Ordinance stating that lot coverage cannot exceed 20%. Mr. Hubbard that he believed they were "extremely below that".

The Board referred to the schematic drawing provided by Mr. Hubbard, and some discussion followed regarding how he had arrived at the figures given in the application. Mr. Hubbard said there was only a small area of the 11.4 acres that was used, and that he probably only used the buildings when making his calculation of impermeable area, and did not include the gravel drive.

Mr. Cichon asked for verification that the coverage in that zone is 20%. He stated that more than half of the proposed building sits on an existing parking lot which was not a significant change, but he wanted a basis for the calculation. He also reminded the Board that the application submitted by Finestkind Boatyard in 2006 for the mast storage building would have had similar information.

The Town Planner confirmed that the Ordinance stated that coverage in that zone is 20%, and read from the Ordinance.

Mr. Cichon suggested that they not consider seasonal boat storage. He is familiar with the property, and said that the balance of the area is grass, not gravel.

Mr. Hubbard stated that he could recalculate the impermeable area to include the gravel driveways as well as the buildings. The Chair suggested the Board add that as a condition of approval.

The Vice Chair had questions regarding §15.3 and §15.7 under the "Findings of Fact" of the Town Planner's memo dated March 10k, 2008. She read the referenced sections in the memo that regarded growth of the proposed site. She stated that there was the possibility of "some growth", not "no growth", and requested that the Board's findings reflect that understanding.

Mr. Hubbard said they are not expecting any growth in business, but if they were going to get all new customers for that building, there would be growth; however, he did not expect that to happen.

The Town Planner suggested that the Board could amend the proposed Findings of Fact, §15.3 and §15.7 to read "there is minimal growth anticipated or expected".

The Vice Chair moved that the application be approved with the standard conditions of approval, with the condition that an accurate calculation of impermeable area be provided to the Town Planner, and also that there is "minimal growth" expected.

The Chair also requested an additional condition of approval stating that, if storm water is found to be a problem for abutting properties, then downspouts will be added to direct the storm water away from the affected area.

Mr. Papacosma asked whether the conditions of approval addressed the question of lot size. The Board wanted to get an accurate determination of the impermeable surface, both current and proposed, as a percentage of the total lot per the definition in the Ordinance.

Mr. Cichon seconded the motion. There was unanimous approval by the Board.

It was suggested to Mr. Hubbard that he get in touch with the Town Planner regarding how to proceed with compliance.

### **OTHER BUSINESS**

There was no other business before the Board.

### **PLANNER'S UPDATES**

The Town Planner stated that the jurisdictional item discussed at last month's Planning Board meeting, Sally W. and George E. Cookman, chose to comply with the Ordinance, so they should not be coming before the Planning Board.

She also asked the Board members whether they would be interested in a workshop "Local Planning Board and Boards of Appeal". The Chair stated she attended previously, and suggested it be considered by other Board members.

There being no further business before the Board, Ms. Rogers moved to adjourn.

The meeting adjourned at 7:04 PM.

Respectfully Submitted,

Melissa Swanson  
Planning Assistant